

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

United States of America,

Plaintiff

Case No. 3:23-cr-271

-v-

ORDER

Carlos Santiz-Garcia,

Defendant

This is a criminal case which was referred to United States Magistrate Judge Darrell A. Clay for the taking, on consent of the parties, of a plea of guilty. The Magistrate Judge has filed his Report & Recommendation; no objection has been filed. In addition, a copy of the tape recording of the plea proceedings before the Magistrate Judge has been filed.

I have listened to the recording and reviewed the Magistrate Judge's Report & Recommendation, and find that in his careful and thorough proceeding, the Magistrate Judge satisfied all requirements of Fed. R. Crim. P. 11 and the United States Constitution: He correctly found the Defendant to be competent, aware of the charges and consequences of conviction rights and the waiver thereof. He also correctly found that the Defendant had consented to proceed before the Magistrate Judge and tendered his plea of guilty knowingly, intelligently, and voluntarily. Finally, the Magistrate Judge also correctly found that there was an adequate factual basis for the plea.

On de novo review of the record and Report & Recommendation, I accept and adopt the Magistrate Judge's findings, and conclude that the Defendant's plea of guilty conforms to all

applicable provisions of Rule 11 and the Constitution.

In light of those findings and that conclusion, it is hereby

ORDERED THAT the Defendant's plea of guilty is accepted and a finding of guilty shall be entered, and the Defendant shall be referred for a presentence investigation.

So ordered.

/s/ James G. Carr
James G. Carr
United States District Judge